

**THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**EMT EXPEDITED LOGISTICS, INC and
CAROLYN MILLER,
Plaintiffs**

v.

**STG LOGISTICS, INC. and RICHARD
UGRON,
Defendants**

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Civil Action No. _____

NOTICE OF REMOVAL

This Notice of Removal is filed by Plaintiff, EMT Expedited Logistics, Inc. (“EMT”). EMT is one of the Plaintiffs in the removed action which is pending, but stayed, in Harris County District Court. EMT would show that this case is properly removable under 28 U.S.C.A. § 1334 and 1452. The following facts establish that this case is properly removable:

FACTS

1. The removed case was commenced in Harris County District Court on February 3, 2017.
2. EMT is a “hotshot” or delivery company that uses its vehicles to deliver goods from point to point in intrastate or interstate commerce. Carolyn Miller is a shareholder and director of EMT and Richard Ugron is a shareholder and former director of EMT. STG Logistics, Inc. (“STG”) is a second entity in which Ugron is a 50% shareholder.
3. STG is a freight brokerage company which “brokers” freight transactions including every type of transportation handled by EMT.
4. Carolyn Miller became a shareholder of EMT in 2016 pursuant to a merger agreement between her company Miller Freight Logistics, Inc. and EMT Expedited Logistics, Inc. from which

EMT was the surviving entity.

5. The allegations in the dispute are that Richard Ugron engaged in self-dealing, breach of fiduciary duty and breached his obligations under the shareholder agreement. The suit further claims that STG was the recipient of confidential and proprietary customer information from EMT which it used to its benefit and to EMT's detriment.

6. In addition, STG and EMT have various invoices and contractual claims against one another for performance of services and use of office space.

7. EMT alleged that it suffered serious financial losses due to the acts of both STG and Ugron.

8. On June 4th, 2020, EMT filed for Chapter 11 bankruptcy reorganization in the Southern District of Texas in the matter styled Cause No. 20-32943, *In RE: EMT Expedited Logistics, Inc.*.

9. The Bankruptcy petition filed in that matter establishes that STG is a disputed creditor of the estate and that the estate has material monetary claims against both STG and Ugron.

10. This notice of removal is filed within the time provided by Bankruptcy Rule 9027(a)(2).

11. Based on the Bankruptcy Petition and the Pleadings in the Harris County matter it is apparently that the removed case constitutes a core proceeding under 28 U.S.C.A. § 157.

VENUE

12. Venue is proper in this District under 28 U.S.C. § 1441(a). Venue is also proper in this district under 28 U.S.C. § 1409(a).

NOTICE OF REMOVAL – STATE COURT

13. A copy of this Notice of Removal is being filed with the clerk of the state court in which the original action was filed, in the manner required by law.

ATTACHMENTS

14. Pursuant to Local Rule 81, the following documents are attached:

- a. Pleadings asserting causes of action and all answers to such pleadings
- b. All orders signed by the state judge
- c. The docket sheet
- d. An index of matters being filed
- e. A list of all counsel of record including addresses, telephone numbers, and parties represented.

JURY DEMAND

15. Plaintiffs demanded a jury in the state court action.

PRAYER

Therefore, Plaintiff EMT Expedited Logistics, Inc. requests that the Court take jurisdiction of this action to the exclusion of any further proceedings in state court, in accordance with the law.

Dated: July 27th, 2020

Respectfully submitted,

//S// Kenneth R Jones

Kenneth R. Jones

State Bar No. 24002373

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